

AGENDA ITEM NO. **VIII-A**
COMMISSION MEETING 09-21-11

September 21, 2011

FROM: KEVIN FABINO, Planning Manager
Development Services Division

THROUGH: MIKE SANCHEZ, Planning Manager
Development Services Division

BY: MCKENCIE CONTRERAS, Planner III
Development Services Division

APPROVED BY

John M. Dy
DEPARTMENT DIRECTOR

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT APPLICATION NO. C-10-228
AND ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO.
C-10-228

RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. APPROVE the finding of a Class 1 and 32 Categorical Exemption for Environmental Assessment No. C-10-228 issued September 9, 2011.
2. APPROVE Conditional Use Permit Application No. C-10-228 to establish an 18 years and older night club at the existing restaurant with a dancing permit for those 21 years and older, to maintain their State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*), and operate between the hours of 6 p.m. to 2 a.m. daily, subject to the following conditions:
 - a. Development shall comply with Exhibit A dated December 9, 2010 and Exhibit F dated September 7, 2011;
 - b. Development shall comply with the operational statement for the project dated June 29, 2011;
 - c. Development shall comply with the Conditions of Approval dated September 21, 2011.

EXECUTIVE SUMMARY

The applicant, Firas Abdel Jaber, filed Conditional Use Permit Application No. C-10-228 requesting authorization to establish an 18 years and older night club at the existing restaurant (Ghaleb's Grill & Hookah Lounge) with a dancing permit for those 21 years and older, to maintain their State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*), and operate between the hours of 6 p.m. to 2 a.m. daily.

The project is located on the west side of North Blackstone Avenue between West Barstow and West Bullard Avenues. The site is zoned C-6 (*Heavy Commercial District*).

The project is being processed under the provisions of the recently adopted text amendment as related to restaurants, taverns and night clubs. Pursuant to that text amendment, this project has been scheduled for review by the Fresno City Planning Commission.

Staff recommends that the Planning Commission approve Conditional Use Permit Application No. C-10-228, subject to the conditions of approval noted above. The conditional use permit is appropriate

for the site and all findings required by Fresno Municipal Code (FMC) Section 12-405-A-2 can be made. In addition, granting of the requested special permit would not result in a significant impact under the California Environmental Quality Act (CEQA).

PROJECT INFORMATION

PROJECT	Conditional Use Permit Application No. C-10-228 requests authorization to establish an 18 years and older night club at the existing restaurant (Ghaleb's Grill & Hookah Lounge) with a dancing permit for those 21 years and older, to maintain their State of California Alcoholic Beverage Control Type 47 license (<i>sale of beer, wine, and distilled spirits for consumption on the licensed premises</i>), and operate between the hours of 6 p.m. to 2 a.m. daily.		
APPLICANT	Firas Abdel Jaber		
LOCATION	5665 North Blackstone Avenue, Suite 110; Located on the west side of North Blackstone Avenue between West Barstow and West Bullard Avenues (APN: 416-182-01). (Council District 7, Councilmember Olivier)		
SITE SIZE	± 5,700 square foot night club with a ± 800 square foot outdoor patio		
LAND USE	Existing	-	<i>Heavy Commercial</i>
ZONING	Existing	-	C-6 (<i>Heavy Commercial</i>) zone district
PLAN DESIGNATION AND CONSISTENCY	The request to establish an 18 years and older night club at the existing restaurant is consistent with both the existing C-6 zone district and the heavy commercial planned land use designation of the 2025 General Plan and the Bullard Community Plan.		
ENVIRONMENTAL FINDING	Categorical Exemption, dated September 9, 2011		
PLAN COMMITTEE RECOMMENDATION	The District 7 Plan Implementation Committee recommended approval at their meeting on September 9, 2011.		
STAFF RECOMMENDATION	Approve Conditional Use Permit Application No. C-10-228 subject to the Conditions of Approval dated September 21, 2011.		

BORDERING PROPERTY INFORMATION

	Planned Land Use	Existing Zoning	Existing Land Use
North	Heavy Commercial	C-6 <i>Heavy Commercial District</i>	Office Depot
South	Heavy Commercial	C-6 <i>Heavy Commercial District</i>	Retail

East	Heavy Commercial	C-6 <i>Heavy Commercial District</i>	Retail
West	Medium-Low Density Residential	R-1-C <i>Single Family Residential District, minimum lot size is 9,000 square feet</i>	Single Family Residential

ENVIRONMENTAL FINDING

Conditional Use Permit Application No. C-10-228 requests authorization to establish an 18 years and older night club at the existing restaurant. This project is not expected to have an adverse impact on the environment and is categorically exempt pursuant to the CEQA, Sections 15301/Class 1 and 15332/Class 32. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

BACKGROUND / ANALYSIS

The applicant, Firas Abdel Jaber, filed Conditional Use Permit Application No. C-10-228 requesting authorization to establish an 18 years and older night club at the existing restaurant (Ghaleb's Grill & Hookah Lounge) with a dancing permit for those 21 years and older, to maintain their State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*), and operate between the hours of 6 p.m. to 2 a.m. daily.

The project is being processed under the provisions of the recently adopted text amendment as related to restaurants, taverns and night clubs. Pursuant to that text amendment, a night club proposed within the C-6 zone district is required to be considered by the Fresno City Planning Commission. Therefore, staff has scheduled this matter for consideration by the Planning Commission and noticed the surrounding property owners of this hearing.

A night club is defined as a facility that provides a dance floor and live or recorded music for customer dancing, and may or may not provide entertainment, such as live performances of the arts (music, comedy, readings, dance, plays, etc.). A night club differs from either a restaurant or tavern in that dancing by the customer is permitted. The serving of food or alcoholic beverages is optional. Conditional Use Permit Application No. C-10-228 includes the serving of food during all hours of operation. Alcohol sales (for those 21 years and older) will also be a part of the operation.

A night club, as defined under the recently adopted text amendment, is required to close no later than 1:00 a.m. for patrons between the ages of 18 and 20 and 2:00 a.m. for patrons 21 years and older. The applicant is requesting that the business be approved as a "night club" as defined in the text amendment, in order to allow dancing for those 18 years and older. Currently, the applicant is approved to allow dancing for those 21 years and older. This proposal includes dancing for those 18 years and older.

Based on the applicant's operational statement, the night club will operate between 6:00 p.m. and 2:00 a.m. daily.

The appropriateness of the proposed project has been examined with respect to its consistency with the goals and policies of the 2025 Fresno General Plan and the Bullard Community Plan; its compatibility with surrounding existing or proposed uses; and, its avoidance or mitigation of potentially significant adverse environmental impacts. Conditional Use Permit Application No. C-10-228 will comply with all applicable codes, including parking, landscaping, walls, etc.

DISTRICT 7 PLAN IMPLEMENTATION COMMITTEE

The District 7 Plan Implementation Committee recommended approval at their meeting on September 9, 2011, with the recommendation to not allow alcoholic beverages in the common dance areas with underage patrons.

Exhibit F, dated September 7, 2011, depicts the area designated for patrons who are 21 years and older. As part of the conditions, alcoholic beverages shall remain in the designated area.

NOTICE OF PLANNING COMMISSION MEETING

The Development and Resource Management Department mailed notices of this Planning Commission hearing to all surrounding property owners within 500 feet of the subject property, pursuant to Section 12-326-G-2 of the FMC. No comments or correspondence has been received to date.

CONDITIONS OF APPROVAL

Standard conditions of approval for restaurants, taverns and night clubs were developed after the adoption of the text amendment to ensure uniform application of requirements on a citywide basis. Those conditions are included and shall be applied to Conditional Use Permit Application No. C-10-228. These conditions address a myriad of issues related to the operation of alcohol-related uses, including employee education, security, video surveillance, and enforcement procedures. The applicant must show compliance with all conditions prior to commencing the new 18 years and older night club operation.

FINDINGS

No special permit may be issued unless it is found that the privilege exercised under the permit, conforms to the findings of 12-405-A-2 of the FMC. Based upon analysis of the conditional use permit application, staff concludes that all of the required findings can be made for Conditional Use Permit Application No. C-10-228.

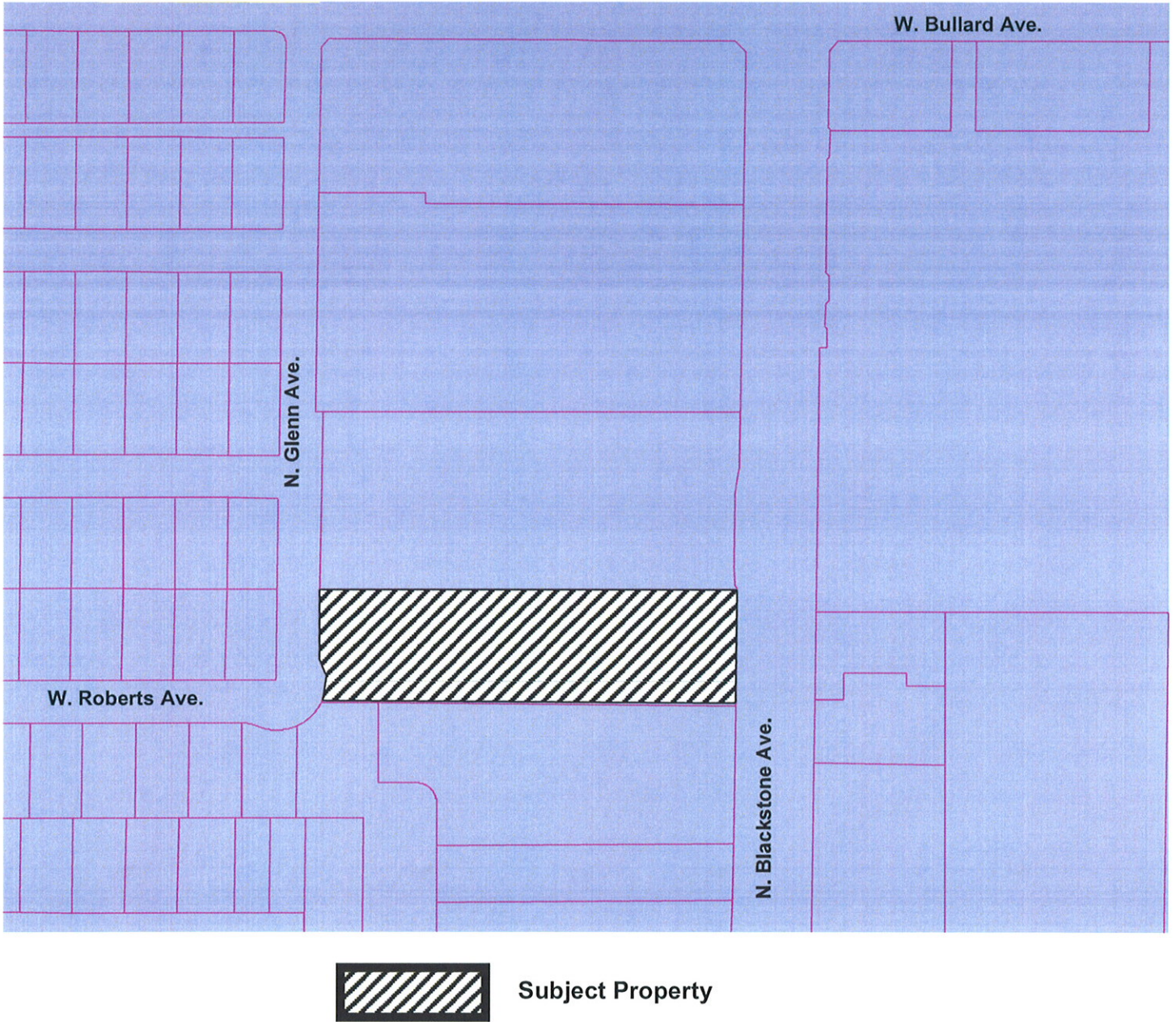
Findings per Fresno Municipal Code Section 12-405-A-2	
a. <i>All applicable provisions of this Code are complied with and the site of the proposed use is adequate in size and shape to accommodate said use, and accommodate all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,</i>	
Finding a:	Conditional Use Permit Application No. C-10-228 will comply with all applicable codes, including parking, landscaping, walls, etc., as there is no new development proposed with this project.
b. <i>The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,</i>	
Finding b:	Adjacent streets were assessed during the initial development of the subject property to ensure that the development would have less than significant impacts on traffic and the surrounding community.

c. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. The third finding shall not apply to uses which are subject to the provision of Section 12-306-N-30 of the FMC.

Finding c:	The proposed 18 years and older night club will not have a negative impact given that the existing use is permitted to provide dancing for patrons who are 21 years and older. Furthermore, the subject property was intended to function with commercial uses. In addition, the applicant will be required to comply with the operational statement submitted for the project and the conditions of approval as required by the Police Department that will stipulate certain requirements that must be met by the applicant. These conditions are intended to help protect the public health, safety and welfare of patrons and neighbors, alike.
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Attachments: Vicinity Map
2008 Aerial Photograph of site
Noticing Map (500 foot radius)
Exhibit A, Site Plan, dated December 9, 2010
Exhibit F, Floor Plan, dated September 7, 2011
Operational Statement dated June 29, 2011
Conditions of Approval dated September 9, 2011
Environmental Assessment No. C-10-228 dated September 9, 2011

Vicinity Map



VICINITY MAP

DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Conditional Use Permit Application
No. C-10-228

PROPERTY ADDRESS

5665 North Blackstone Avenue, Suite 110



Not To Scale

APN: 416-182-01

Zone District: C-6 (*Heavy Commercial District*).

By: M. Contreras, September 8, 2011

2008 Aerial Photograph of Site

W. Bullard Ave.

2008 Aerial Photograph

N. Blackstone Ave.

Project Site

Subject Property



Noticing Map



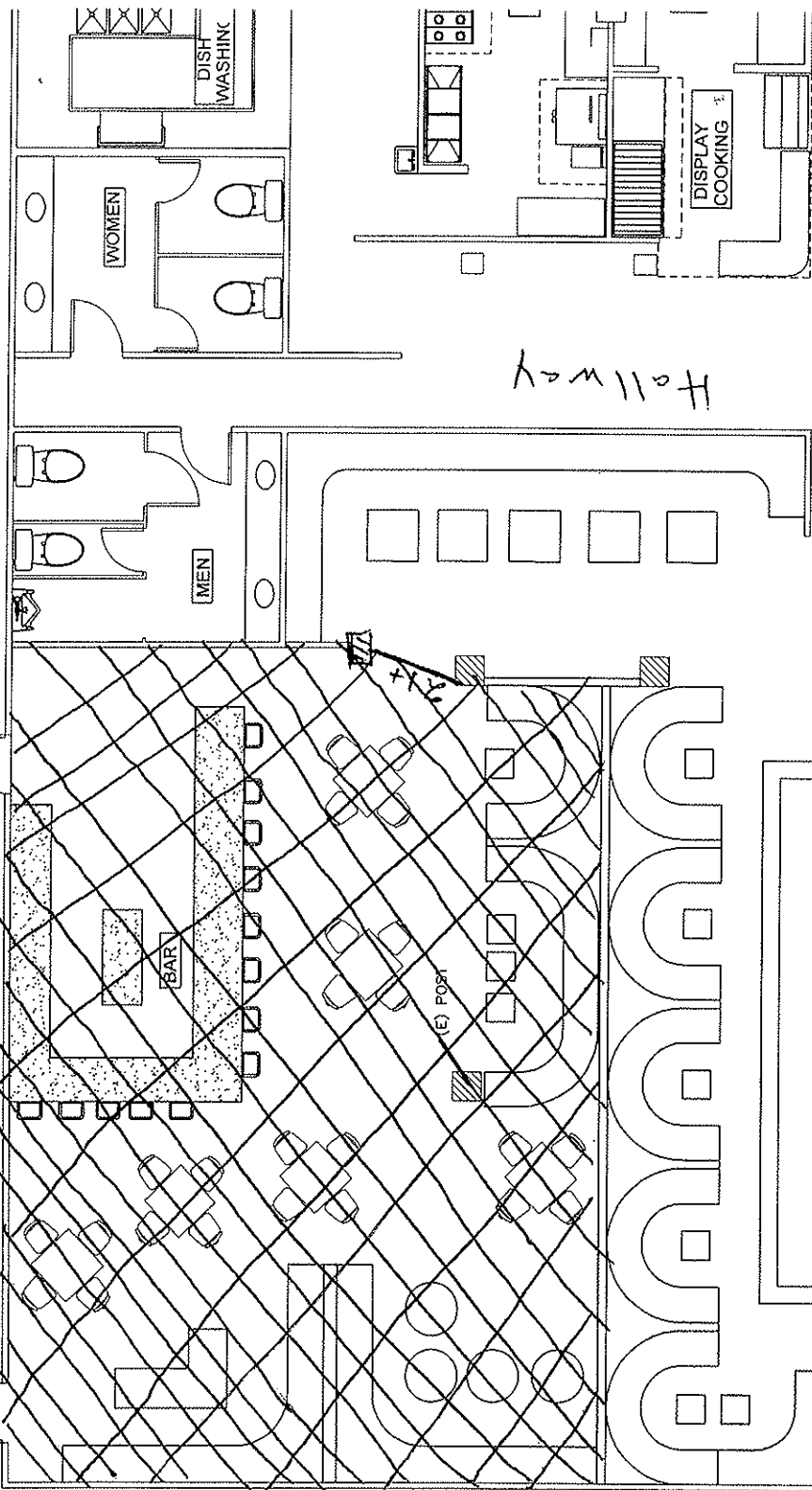
Site Plan

A1

Floor Plan

Key
 Shaded area
 indicates 21+
 Area

Emergency Exit



APPL NO. C-10-228 EXHIBIT F DATE 09-07-11
 CITY OF BIRMINGHAM DEVELOPMENT DEPARTMENT
 DATE
 APPROVED BY
 DATE
 DATE

Main Entrance

Emergency Exit

Operational Statement

FAJ Industries, Inc.
(dba Ghaleb's Grill & Hookah Lounge)

June 29, 2011

Operational Statement and Security Plan

FAJ Industries, Inc. DBA: Ghaleb's Grill And Hookah Lounge (hereinafter referred to as "Ghaleb's") is located at 5665 North Blackstone Avenue #110 Fresno, CA 93710-5000. Ghaleb's provides a safe and sound social gathering alternative to Fresno County residents; accommodation is only provided for 18 year olds and older individuals. Anyone under the age of 18 is denied access to the premises. ID's are checked to verify the age of an individual prior to admission at the entrance which is located outside; ages are distinguished by different colored wristbands. We have implemented a number of proactive safety measures to ensure the safety and protection of our guests. One security measure includes placing four security officials inside and outside the premise, security officials are also accompanied by two Fresno police officers outside the premise during club nights.

Ghaleb's serves food, alcoholic beverages (to persons 21yrs old and older), and Hookahs. The entity is open all week from 6:00 pm until 2:00 am. The bar will maintain its original business hours and will be closed at 2:00 am. The business will operate and maintain the licensed premises as a bona fide eating place. Ghaleb's will promote food products during all business hours. Food menu will be available during all business hours. Ghaleb's will offer high-protein and fatty foods such as meats and cheeses, which will help slow down the absorption of alcohol.

Access to the bar

Ghaleb's has adopted ABC's Model House Policies which provide for responsible business practices for on-sale licensees. Anyone under the age of 21 will not be allowed in any bar area of the licensed premises. The set-up of the bar area has been designed in a way to prevent any persons under the age of 21 from accessing the bar and alcoholic beverages. To access the bar, guests will have to pass by a security official who verifies that the person is of legal age.

Ghaleb's currently employs 25 regular employees and 8 security officials from Langner Security Special Services, who work alongside several managers. Each security official has a designated area they oversee; these areas include the bar, dance floor, entrance. A security supervisor is also present to address any concerns. Ghaleb's also has a surveillance system which contains 23 cameras that cover the inside and outside of the premises.

If you have any questions, please do not hesitate to contact me at (559) 305-8818.

Sincerely,

Firas Abdel-Jaber, President
FAJ Industries, Inc.

Conditions of Approval

**CITY OF FRESNO
DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT**

CONDITIONS OF APPROVAL

SEPTEMBER 21, 2011

CONDITIONAL USE PERMIT AMENDMENT

APPLICATION No. C-10-228

5665 NORTH BLACKSTONE AVENUE, SUITE 110

Conditional Use Permit Amendment Application No. C-10-228 is scheduled to be heard by the Fresno Planning Commission on September 21, 2011. Conditional Use Permit Application No. C-10-228 is subject to the following conditions of approval:

A. General Conditions

1. Development shall take place in accordance with the C-6 (*Heavy Commercial*) zone district as defined in Section 12-222 of the Fresno Municipal Code (FMC).
2. Development shall comply with Sections 12-326 and 12-327 of the FMC related to restaurants, taverns and night clubs.
3. Exercise of the special permit shall comply with Exhibit A (Site Plan) dated December 9, 2010 and Exhibit F (Floor plan) dated September 7, 2011.
4. Exercise of the special permit shall comply with the Operational Statement dated June 29, 2011.
5. Exercise of the special permit shall take place in accordance with all city, county, state and federal laws and regulations, including ABC licensing requirements.
6. Comply with the requirements listed in the Fresno Police Department memorandum dated August 25, 2011.
7. Comply with the Security Plan dated August 25, 2011 for Ghaleb's Grill and Hookah Lounge.
8. Comply with the Public Works Department-Traffic and Engineering Services Division memorandum dated December 20, 2010.
9. Comply with the County of Fresno Department of Public Health memorandum dated December 20, 2010.
10. Transfer any redlines shown on Exhibit A dated December 9, 2010 to the corrected site plan.

11. The proposed 18 years and older night club shall provide one parking space per 75 square feet of floor area. The proposed night club is 6,500 square feet; therefore 87 parking spaces are required. The overall subject property has 114 parking spaces.
12. The exterior patio area will be limited to the 800 square feet, as depicted on Exhibit A dated December 9, 2010. The area shall be open on three sides and maintain 90% transparency to the outdoor elements.
13. There shall be no amplified music in the patio and the door to the patio shall remain closed. Entertainment provided shall not be audible beyond the area under the control of the licensee(s).
14. The entire parking lot area will only be used for vehicle parking and not for restaurant/night club events without first obtaining approval from the Development and Resource Management Department and the Fresno Police Department.
15. The restaurant's exterior four foot wide walkway will be clear of any obstructions at all times. The restaurant/night club structure shall be in compliance with the American Disabilities Act.
16. Plans and permits are required for any interior or exterior work completed for the establishment.
17. No material of any type may be attached, permanently or temporarily, to the exterior patio structure without first obtaining the appropriate city permits.
18. Development shall not permit the consuming of food, alcoholic and non-alcoholic beverages in the designated smoking patio area.
19. Development shall comply with Labor Code 6404.5 (AB 13/3037) "California Smokefree Workplace".
20. The following shall be the hours of operation:
 - a. Night Club: Sunday through Saturday: 6:00 p.m. to 2:00 a.m.
 - i. 18 to 20 years old: Closing hour is at 1:00 a.m.
 - ii. 21 years and older: Closing hour is at 2:00 a.m.

RESTAURANT ABC C.U.P. CONDITIONS

August 25, 2011

City of Fresno, Development Department
Director of Planning & Development.
Special Permit, Conditional Use Permit
2600 Fresno Street
Fresno, California, 93721-3604

Attn. Mckencie Contreras

Re: SPECIAL PERMIT NO. _C-10-228
5665 N. Blackstone Ave.
Fresno, Ca.
A.P.N. 416-182-01

Dear Ms. Contreras,

The City of Fresno has requested that the Fresno Police Department review the application of the property development at 5665 N. Blackstone. The property has been zoned C-6 for commercial development. The Fresno Police Department's primary concern with the application is the propensity of the premises to generate calls for police service.

As you know, to approve any Conditional Use Permit, the City must make the following findings:

1. All applicable provisions of the Fresno Municipal Code are complied with and the site of the proposed use is adequate in size and shape to accommodate the use, including, all yards, spaces, walls and fences, parking, loading, recycling areas, landscaping, and other required features; and,
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use; and,
3. The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located. This third finding shall not apply to uses which are subject to the provisions of Section 12-306-N-39 of the Fresno Municipal Code (Regulating Adult Businesses).

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The conditions are established to ensure public safety, and to minimize any impact for the surrounding area. This CUP allows for the retail sale of alcoholic beverages for on-site consumption in conjunction with the operation of a Restaurant, as defined by Fresno Municipal Code, section 12-105-R-5, pursuant to the requirements of FMC, sections 12-304 and 12-326. We understand that along with this CUP application, the applicant has also applied for a Type 47 license which, if approved by Department of Alcoholic Beverage Control, will allow for the sale of beer, wine, and distilled spirits for consumption on the licensed premises. We understand from the Operational Statement that the applicant intends to operate this establishment between the hours of 6:00⁰⁰ p.m. and 2:00 a.m. on Day(s) of week, Sunday through Saturday.

We request the following conditions be included as Conditions of Approval for Conditional Use Permit Application No. C-10-228. These conditions will maintain an environment that is least likely to generate public complaints and calls for service. The Fresno Police Department is not in opposition of this Conditional Use Permit, provided the applicant agrees to the listed conditions. If the following conditions are not included as conditions of approval of CUP No. C-10-228 the Fresno Police Department shall oppose the approval of this Conditional Use Permit, and shall appeal such approval to the Planning Commission. As such, we request that you provide Detective Todd Fraizer #127 with notice of the Director's decision regarding this Conditional Use Permit as well as a complete copy of the conditions of approval, should the Director approve the Conditional Use Permit.

Requested Conditions of Approval:

1. Fresno Municipal Codes

The applicant shall comply with all applicable provisions of the Fresno Municipal Codes ("FMC"), including but not limited to:

- FMC 9-502 (Amusement Devices - Permit Required)
- FMC 9-1803 (Hours of Operation Billiard Hall)
- FMC 9-1804 (Restriction on Attendance of Minors in Billiard Rooms)
- FMC 9-1805 (Minors allowed: Family Billiard Rooms)
- FMC 10-105 (Noise Ordinance)
- FMC 10-708 (Unlawful Nuisances - High Calls for Police Service)
- FMC 12-306-N-30 Limitations on Adult Business Activities. Applicant shall also verify with the Planning Division that Adult Business Activities are permitted in the zone district where the applicant seeks to operate his/her business

A current version of the Fresno Municipal Code may be viewed at the City of Fresno's website: www.Fresno.gov. The link to the FMC is located on the Home Page of that website.

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2. State and Federal Law

The applicant shall comply with all applicable state, federal, and local law, including but not limited to the following California Business and Professions Code sections and the California Department of Alcoholic Beverage Control rules:

- BP 24046 (Required to Post ABC License on Premises)
- BP 25612.5 (Loitering, Open Alcoholic Beverage Containers, Consuming Alcoholic Beverages on Premises, Exterior Lighting, Litter Removal, Graffiti Removal, Signs and Barriers in Windows and Doors, Public Phones Blocked From Incoming Calls, Areas to Display Harmful Matter, Required Copies of Operating Standards Available for Public Viewing)
- BP 25665 (Minors Remaining in Public Premises)
- ABC Act Rule 106 (No Buy One Get One Free Drinks)
- ABC Act Rule 107 (No One Under 21 Allowed Signs Posted)
- ABC Act Rule 139 (Interior Lighting Required for Identification of Patrons)

3. ABC Education

Any and all employees hired to sell alcoholic beverages shall provide evidence that they have either:

- (1) Completed training from the State of California Department of Alcoholic Beverage Control--Fresno District Office-administered "Leadership and Education in Alcohol and Drugs" (LEAD) Program as confirmed by receipt of an ABC-issued certificate of completion; or,
- (2) Completed equivalent training acceptable to the ABC-- Fresno District Office to ensure proper distribution of beer, wine, distilled spirits, to adults of legal age.

If any prospective employee designated to sell alcoholic beverages, does not currently have such training then:

- (1) The ABC-licensed proprietors shall have confirmed with the Development Department within 15 days of the final approval of the CUP, that a date certain has been scheduled with the local ABC Office for the prospective employees to take the LEAD Program course; and
- (2) Within 30 days of taking the course the employee(s) or responsible employer shall deliver each required LEAD Program Certificate evidencing completion of said course.

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4. Contests or Promotions

At least two weeks prior to the event, the establishment shall notify the District Commander, or his/her designee of any promotional or special events. In addition, the establishment shall obtain written approval that the current Security Plan is adequate to address security issues that may arise from the event or promotion or approval of a new Security Plan that will be in place for the promotional or special event.

5. Security Plan.

Prior to the approval of this Conditional Use Permit, the establishment shall prepare and submit to the District Commander a security plan for approval. Approval of the security plan by the District Commander or his/her designee shall not be unreasonably denied. The contents of the Security Plan shall be incorporated as conditions of approval of CUP No. C-10-228. The establishment shall be responsible to have the District Commander or his/her designee re-approve the security plan annually running from the anniversary date of the final approval of the CUP. The establishment is responsible for providing both the District Commander and the Planning and Development Department a copy of the approved security plan.

All establishments Security Plan shall:

- Identify the establishment's designated contact person for all safety and security management and shall provide the telephone numbers where the contact person may be reached 24 hours a day, seven days a week.
- Confirm that a manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
- Identify all managers of the establishment and their contact telephone numbers.
- Confirm that all bartenders and other employees shall be trained to recognize the symptoms of an obviously intoxicated patron, to refuse serving alcoholic beverages to obviously intoxicated patrons, and to report emergencies to the manager on duty and to law enforcement.
- Confirm that first aid supplies and operational fire extinguishers are located in the kitchen, service areas and the manager's office.
- Confirm that the burglar and fire alarm is monitored by a security company 24 hours a day, seven days a week.
- Identify an adequate number of acceptable interior security personnel and exterior security personnel who will monitor and control the behavior of customers inside and outside the building, the parking lot and any adjacent property under the

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establishment's control. The security personnel may be employees of the establishment or licensed security personnel retained from a security firm.

Confirm that the security personnel shall regularly monitor the parking lot and any adjacent property under the establishment's control to ensure the areas are (a) free of people loitering or causing a disturbance and (b) are cleared of patrons and their vehicles one-half hour after closing.

The establishment may receive from the Fresno Police Department a form of a security plan that the establishment may refer to in preparing its security plan.

The establishment shall correct any safety or security problem or security plan violation as soon as possible after receiving written notice of such problem from the Fresno Police Department. After the initial security plan is approved and implemented, it is the responsibility of the owner or owner's representative to contact the Fresno Police Department to inquire about police calls for service or public safety problems at the location. Contact may be made in person, by telephone or by electronic mail. Review of police calls for services may be conducted at any time by the Fresno Police Department.

The applicant will maintain a copy of the current Security Plan and shall present the Security Plan immediately upon request by a peace officer.

If it is determined that police calls for service become "Frequent" (see definition below) the Fresno Police Department may initiate proceedings to amend these conditions to require state licensed uniformed security and/ or to recommend suspension or revocation proceedings.

6. **Property Responsibility**

Frequent responses by the FPD arising out of or relating to the operation or management of the real property owned or controlled by the permittee causing any combination of the following: animal disturbances; violent criminal acts; illegal consumption of intoxicants in public view; gaming activities; and juvenile disturbances, or any of the other activities set forth in the Fresno Municipal Code section 10-708(g) may result the commencement of CUP revocation proceedings pursuant to FMC, section 12-326-H and 12-405-E. In addition to recommending the commencement of revocation proceedings, the FPD may pursue any of the other remedies set forth in FMC, section 10-710, including assessing fines against the proprietor for the violations of the Management of Real Property Ordinance.

"Frequent" is defined by FMC, section 12-326-H-1-a.

7. **Revocation of Conditional Use Permit**

The City is permitted to revoke a Conditional Use Permit for "good cause" pursuant to the procedures set forth in FMC, sections 12-326-H and 12-405-E. Applicant is strongly

encouraged to review these FMC sections to understand the circumstances that constitute "good cause."

8. Posting hours of operation and address

The owner and/or proprietor and /or applicant shall be responsible to conspicuously post the hours of operation for each phase type (i.e., restaurant, nightclub) near the entrance of the establishment. It shall be 8.5x11 inches in size, to be provided for by the City. This posting shall be made available to City officials upon request. Additionally, the address of each facility shall be posted in compliance with all City codes.

9. Posting Property

The applicant shall post the property with the appropriate Fresno Municipal Code signs advising that consumption of alcoholic beverages, gambling, trespassing or loitering will be in violation of municipal ordinances. The applicant shall send a letter to the Fresno Police Department, signed and dated by the applicant, every 180 days that authorizes FPD peace officers to enter the applicant's real property and/or establishment to enforce against the aforementioned activities at the business. The owners and employees are responsible for abating those activities when they occur during business hours.

The establishment shall not allow alcoholic beverages to be consumed outside the building premises or any other adjacent property under its control. No alcoholic beverage will be consumed on any property adjacent to the premises (i.e., parking lot and sidewalks). If the alcoholic beverages are consumed on property not owned or controlled by the applicant, the applicant shall immediately report such consumption to the Fresno Police Department.

The establishment shall not allow any loitering on building premises or any adjacent property under its ownership or control.

The establishment shall not allow any gambling on building premises or any adjacent property under its control.

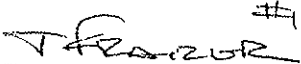
There shall be no amusement devices or Billiard tables maintained upon the premises without the proper permits issued through the City of Fresno Business Tax Division.


10. Patio Area


- A. The patio must be approved by the City of Fresno Planning and Development Department and must include the sales, service and consumption of food and alcohol.
- B. The licensee(s) or an employee of the licensee(s) shall be present on the patio at all times that alcoholic beverages are being served and/or consumed.


- C. The boundaries of the patio will be clearly defined and designated by physical barriers as defined on the ABC-257, and shall not be changed without prior approval of the Fresno Police Department and the California Department of Alcoholic Beverage Control.
 - D. The only entertainment allowed on the patio shall be recorded music. There shall be no amplified music from a disc jockey, karaoke, or any type of live entertainment allowed on the patio at any time. Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257.
 - E. Patrons shall enter and exit the patio from inside the premises only, not through any exterior gate(s) located on the patio.
 - F. There shall be no dancing allowed on the patio at any time.
 - G. The patio shall close at 12:00 a.m. (midnight) every day, seven (7) days a week.
11. The establishment shall ensure that all employees are aware of and comply with these conditions. The establishment shall have each employee sign a written acknowledgment that he/she has reviewed and understood each of these conditions. The written acknowledgement shall be maintained by the establishment and made available to the Fresno Police Department upon reasonable request.

FRESNO POLICE DEPARTMENT

 #127 Date: 8/25/11
Officer: Todd Fraizer #127
District POP Officer

 Date: 8.25.11
Sergeant: Len Gleim
District-Det/POP Supervisor

 Date: 8/25/11
Captain: Michael Reid
Northwest District Commander

 Date 8/25/2011
Firas Abdel-Saber



SECURITY PLAN
August 25, 2011

FAJ INDUSTRIES, INC.
DbA: Ghaleb's Grill and Hookah Lounge
RESTAURANT/LOUNGE/NIGHTCLUB
5665 N. Blackstone Ave #110 Fresno, CA 93710

PREMISES MAXIMUM PERMITTED OCCUPANCY: 249

This security plan is written to address issues inside and outside of the restaurant, including the safety and security of the business, as well as the immediate surrounding areas.

- **24/7 Contact:** Firas Abdel-Jaber will be the contact person(s) for all safety and security management. He can be reached 24 hrs/seven days a week at 559-305-8818. If this number changes, the Fresno PD will be provided the new/updated number.
- **Onsite Manager:** A manager will be on duty during business hours and will be responsible for monitoring and controlling the behavior of patrons.
- **Manager(s) name and contact information:**
 - Fakhrieh Qawasmi, store manager who can be contacted at 559-860-8736.
 - Victoria Martinez, bar manager who can be contacted at 559-349-5452.
 - Esteabon De La Ros, floor manager who can be contacted at 559-349-5452.
 - Marc Julian, security supervisor who can be contacted at 559-930-2306.If there is a change regarding these listed managers and/or phone numbers, the Fresno PD will be provided the new/updated information.
- **Alcohol related issues:** Bartenders and all employees responsible for the sale and service of alcohol beverages are trained to recognize the symptoms of an obviously intoxicated patron and will not allow the serving of alcohol to an obviously intoxicated patron.

ABC Education: All primary positions that deal with alcohol have already attended the ABC LEADS class and evidence will be provided at the request of the Fresno Police Department. As ABC offers classes by appointment on their schedule, current un-trained employees and new hires, hired to sell or serve alcoholic beverages, should be assigned to attend the first available class, and shall have completed the class within 6 months of the date of hire, for all new hires, with proof provided to the Fresno Police Department at request within thirty (30) days of course completion.

- **First Aid:** Supplies are located in the kitchen, service areas and the manager's office.
- **Fire Protection:** Fire extinguishers are located in the kitchen, service areas and outside the manager's office.
- **Alarm:** Burglary and fire alarm is monitored by a security company 24 hrs/7 days a week.
- **Emergencies:** All employees are trained to report emergencies to law enforcement and to the manager on duty.
- **Taxi Service:** We will offer taxi coordination service to our customers. We will place signage at the exit from 10:00 p.m. to 2:00 a.m. with the follow: "THANK YOU FOR COMING OUT TONIGHT. WE APPRECIATE YOU, AND WANT TO SEE YOU BACK, SO WE WANT TO MAKE SURE YOU GET HOME SAFE. DON'T DRINK AND DRIVE. IF YOU NEED OR WANT A CAB, LET US KNOW AND WE WILL CALL ONE FOR YOU. BE SAFE FRESNO."
- **Surveillance Video:** Currently we have eight (8) cameras. There will be at least one camera placed to focus on each area where alcoholic beverages are being dispensed. Additionally, there shall be at least one camera placed to focus on the front door, the outside area where patrons wait to enter the establishment, and the majority of open floor space. The video camera storage capacity should be for at least fourteen (14) days and retained for six (6) months. Recordings of (any) -criminal activity (either occurring at and/or related to Ghalebs) shall be provided to the Fresno Police Department within 24 hours of the initial request. Cameras should be periodically monitored during the time the premises are operating as a nightclub.
-
- A Digital Video Recorder-DVR shall be the preferred means of recording, and shall be operational during open business hours, must be properly maintained at all times and there must be an employee present during business hours that has been instructed in its use and down-load capabilities. All cameras shall be properly maintained and operational during business hours and positioned toward their specified area.
- **Incident Reports:** Security Incident Reports, related to known calls for service, completed by both State Licensed Uniformed Security Guards and/or on-site State Licensed Proprietary Security Officers, shall be completed and (sent to) the Police Department within ten (10) days of the incident. In kind, the Fresno Police Department has indicated that it will review all calls for service that relate to the establishment and share applicable information by each Tuesday of the month or no later than twelve (12) days from any incident. This exchange is done in the spirit of cooperation to assist in maintaining a working relationship, and helping recognize security and/or training issues.

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- **Zero Tolerance:** All members of our staff are aware of and agree to support the "zero tolerance" approach to criminal behavior. This will include calling police, and otherwise cooperating with law enforcement. The business will post a sign at the entrance to inform patrons that the establishment has a "Zero Tolerance Policy" and will prosecute any criminal behavior which occurs.
- All staff are to have a good working knowledge of B&P25753 and B&P 25755 in relation to Law Enforcement inspection of the premises.
- **Dress Code:** The below listed dress code will be enforced from 10:00 p.m. to close of business on each Friday and Saturday that the establishment is open as a Nightclub. A sign describing the dress code will be placed at the entrance during those hours.

For example, the following items are not permitted:

- Excessively baggy clothing
- Motorcycle or Gang attire
- Athletic wear, sweats or sports jerseys (game day exceptions)
- Construction boots
- Headgear (exceptions for non sports related ball caps and stylish hats)
- Tattoos on the neck, face and head (exceptions for neck tattoos if the tattoo is not offensive, gang related or depicting an illegal substance or activity and is preapproved by management)

■ Management will, at all times, reserve the right to enforce the full dress code.

- **Contests or Promotions:** Notification will be made to the Fresno PD-Northwest District Commander or his/her designee, at least two weeks prior to any "Advertised-Contest, Promotional Event or Special Entertainment Event," **which is reasonably anticipated to attract a larger or different type of crowd than the business is currently accustomed to and will include any adjustments needed to the current security plan ("Event")**. "Event" does not include things like ordinary weekly advertising or social media publications, which are a part of regular nightclub/restaurant operations. The Fresno Police Department has indicated it is committed to timely review notifications.

In those cases where the business commits to an event less than two weeks before the expected date, notification will be made as soon as possible to the Police Department. During this "Abbreviated Approval Process," the Police Department has indicated it is committed to expeditious overview of the event, along with any security plan needs, to complete the review process.

The Police Department has indicated it is committed to provide a written response within three (3) business days regarding approval or the need to update the existing security plan for an above noticed Event. If the Police

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Department does not respond within this time period, Event approval will be deemed granted.

- **As a courtesy and in the spirit of communication we will keep the Police Department informed of any changes in DJ's.**

All notices under this section will be sent via text message or email.

four (4) TITANER #127 9/6/11

- **State licensed uniformed security guards:** ~~Two (2)~~ state-licensed uniformed security guards (shall) be required to be on the premises at all times from 10:00 p.m. to thirty (30) minutes after closing on any and all days that the establishment is open and operating as a "Nightclub."

Any change from the required total number of State licensed uniformed security guards, must be approved by the Fresno Police Department.

- * **In the event that Fresno Police Department Contract Services are engaged by the business, one (1) of the contract officers on hand may count towards the total number of State licensed uniformed security guards on Thursday, Friday and Saturday. Whenever the business is open and operating as a "Nightclub," at least four state licensed security guard will be on the premises.**

Contract services will be used during the Halloween and New Years, and for Special Events.

- Our security staff will monitor a reasonable radius around the entrance and exits of the establishment, as well as the parking lot, to ensure compliance with security protocols and to ensure the area is free from loitering. Individuals found to be consuming alcohol outside the establishment will be denied entry and asked to leave the lot.
- We are in the process of signing a security services agreement with Langner Security Services. Currently, each member of our Security staff has completed proper training and all members hold a guard card. We will provide you with a copy of the contract within two weeks.

**Special Services Langner Security
PPO # 15563
Tel: (562)842-4584
245 W Broadway, Suite 145
Long Beach, CA. 90802**

Fresno Police Department to be notified of any company change.

- **Proprietary security officers:** The premises shall also provide State licensed proprietary security officers on staff to assist in monitoring and controlling the behavior of patrons during nightclub hours on nights when additional security is needed.
- **At Closing:** Members of our security team will actively direct individuals away from the establishment and to their transportation. Members of our security staff will direct traffic to the most effective exit routes. Once our security staff has cleared the facility, they will ensure that the adjacent parking lot under the establishment's control is free of people loitering, drinking or causing a disturbance and clear the lot by one-half hour after closing.

The hours of closing for the affected age groups will be the following;

18 to 20 will be at 1:00 am (0100 hrs.). At approx. 12:55 am (0055 hrs.) staff will have the music stopped, the lights will come on and an announcement will be made stating that all patrons who are under 21 years must leave. They will then be ushered outside where security will make sure there is no loitering.

21+ will be at 2:00 am (0200 hrs.) with last call being no later than 0130 hrs.). The last call meaning no further sales or service of alcoholic beverages will take place.

Additionally:

No member of staff (including management) shall consume any alcoholic beverages while "on-duty," including just before and/or just after their work shift).

All alcoholic beverages shall only be served and poured by on-duty premises employees. Patrons are prohibited from serving themselves alcoholic beverages.)


There will be no "VIP" or segregated areas within the premises, except the areas where the 21+ year old gather, versus where the 18 to 20 year olds will be.


This security plan will be in effect for six (6) months, commencing at the time all parties agree and sign this document. By the six (6) month mark, a review of the operations of this business will be conducted by the Fresno Police Department to determine if changes need to be made. This review process will repeat every six (6) months. ~~Operations as a "night-club" will not proceed without an updated and/or current security plan.~~

Signature
9/6/11

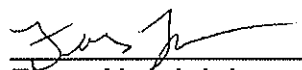
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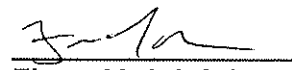
FRESNO POLICE DEPARTMENT

 Dated: 8/25/11
Captain Mike Reid
Commander
Northwest District

 Dated: 8-25-11
Sergeant Len Gleim
Investigations/POP
Northwest District

FAJ Industries, Inc. dba: Ghaleb's Grill And Hookah Lounge
RESTAURANT, LOUNGE AND NIGHTCLUB

 Dated: 8/25/11
Firas Abdel-Jaber
President
FAJ Industries, Inc.
Dba: Ghaleb's Grill and Hookah Lounge

 Dated: 8/25/11
Firas Abdel-Jaber
CFO
FAJ Industries, Inc.
dba: Ghaleb's Grill and Hookah Lounge



DATE: December 20, 2010

TO: McKencie Contreras, Planner III
Planning and Development Department, Planning Division

FROM: Mario Rocha, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT: Conditions of Approval for **C-10-228**
APN: 416-182-01
ADDRESS: 5665 North Blackstone Avenue

SITE PLAN REQUIREMENTS: This site plan is incomplete. Please provide the following information prior to Building Permits:

A. General Requirements

1. **Property Lines:** Identify and dimension existing and proposed property lines.
2. **Scope of work:** All items shall be listed as existing, proposed or future.

B. Offsite Information:

1. **Street Improvements:** Identify existing and proposed curb, gutter, sidewalks (provide width), driveway approaches (provide width), street lights (specify if wood or metal pole).
2. **Street furniture:** Identify utility poles, boxes, signs, fire hydrants, etc.
3. **ADA:** Identify the required 4' minimum path of travel along the public sidewalk adjacent to property.

C. Onsite Information:

1. **Parking Lots:** Indicate whether parking is existing to remain or proposed.
 - a. **Stalls:** If proposed or modified, provide length and width. Provide the number that are required, provided, compact and disability parking stalls. Identify the 3' vehicular overhang adjacent to continuous curbing. No obstructions shall be within the 3' overhang. (ground cover is allowable.)
 - b. **Curbs** If proposed or modified, show 6" high curbs
 - c. **Wheel Stops:** If proposed or modified, show 6" high wheel stops.
 - d. **Circulation Aisles:** If proposed or modified, provide widths
 - e. **Walkways:** If proposed or modified, provide width adjacent to parking stalls (7' min)
 - f. **Directional flow of traffic:** Identify existing and proposed directional arrows
 - g. **Disability parking, ramps, signage:** If proposed or modified, provide details.

PUBLIC IMPROVEMENT REQUIREMENTS

The following requirements are based on city records and the accuracy of the existing and proposed on-site and off-site conditions depicted on the exhibits submitted. Requirements not addressed due to omission or misrepresentation of information, on which this review process is dependent, will be imposed whenever such conditions are disclosed.

Questions relative to dedications, street improvements or off-street parking geometrics may be directed to Mario Rocha at (559) 621-8684 / Mario.Rocha@fresno.gov , Public Works Department, Traffic and Engineering Services Division.

When preparing Street Plans and/or Traffic Control Plans for projects in the City of Fresno contact Traffic and Engineering Services, at (559)621-8807 in advance to make sure that sidewalks or an approved accessible path remain open during construction.

Survey Monuments and Parcel Configuration

All survey monuments within the area of construction shall be preserved or reset by a person licensed to practice Land Surveying in the State of California.

Street Dedications and Encroachment Permits

Identify all street furniture, e.g.: public utility poles and boxes, guy wires, signs, fire hydrants, bus stop benches, mail boxes, news stands, trash receptacles, tree wells, etc. within the public right of way. Also, identify the required 4' minimum path of travel along the public sidewalk directly in front of property, as required by the California Administration Code (Title 24). **A pedestrian easement may be required if Title 24 requirements cannot be met.**

Blackstone Avenue: Dedicate a sufficient amount of property for pedestrian easement purposes to accommodate a 4' clear path of travel behind all driveway approaches with the limits of this application.

Deed documents for the required dedications must conform to the format specified by the city and shall be prepared the applicant's engineer.

The cost of deed document processing and recordation fee must be paid at the time of deed submittal and submitted with verification of ownership **prior** to the issuance of building permits.

For information regarding the format or submittal requirements contact the City of Fresno Public Works Department, Traffic and Engineering Services Division (559) 621-8694.

The construction of any overhead, surface or sub-surface structures and appurtenances in the public rights-of-way is prohibited unless an encroachment permit is approved by the City of Fresno Public Works Department, Traffic and Engineering Services Division (559) 621-8693. Encroachment permits must be approved **prior** to issuance of building permits.

Street Improvements

All improvements shall be constructed in accordance with the Standard Specifications and Standard Drawings of the City of Fresno, Public Works Department. The performance of any work within the public street rights-of-way (including pedestrian and utility easements) requires a STREET WORK PERMIT **prior** to commencement of work. Contact the City of Fresno Public Works Department, Traffic and Engineering Services Division at (559) 621-8650 for detailed information. All required street improvements must be completed and accepted by the city **prior** to occupancy.

Repair all damaged and/or off grade off-site concrete improvements as determined by the City of Fresno Public Works Department, Construction Management Division, (559) 621-5600. Pedestrian paths of travel must also meet current ADA regulations. All existing sidewalks in excess of 2% maximum cross slope must be brought into compliance **prior** to acceptance by Public Works.

Blackstone Avenue: Arterial

1. Install a concrete pedestrian walkway behind all driveway approaches as identified on Exhibit "A". Asphalt concrete paving per City of Fresno Public Works Standard Drawing **P-21** may be substituted for concrete. (Refer to City of Fresno Public Works Standard Drawings **P-1** thru **P-4** for additional information.)
2. **Provide 10' of red curbing (3 coats) on both sides of the proposed driveway approaches.**

Off-Street Parking Facilities and Geometrics

1. If proposed or modified parking, all Off-Street parking facilities and geometrics shall conform to the City of Fresno Public Works Department, Parking Manual and Standard Drawing(s) **P-21**, **P-22**, **P-23**.

Fresno Major Street Impact (FMSI) Fees:

This entitlement is in the **Infill Area**; therefore pay all applicable City-wide regional street impact fees.

Regional Transportation Mitigation Fee (RTMF):

Pay all applicable **RTMF** fees to the Joint Powers Agency located at 2035 Tulare Street, Suite 201, Fresno, CA 93721; (559) 233-4148 ext. 200; www.fresnocog.org. Provide proof of payment or exemption **prior** to issuance of building permits.

State of California Department of Transportation (Caltrans) Fees:

Applicant shall pay fair share contribution as determined by the State of California Department of Transportation (Caltrans) to be collected by the City of Fresno Public Works Department Traffic Engineering, (559) 621-8820, **prior** to a Building Permit.



County of Fresno

Department of Public Health

Edward L. Moreno, M.D., M.P.H., Director-Health Officer

December 20, 2010

FA0005213
LU0015871
PE 2602

McKencie Contreras
City of Fresno
Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Ms. Contreras:

PROJECT NUMBER: C-10-228-ABCUP

Conditional Use Permit Application No. C-10-228-ABCUP was filed as a minor amendment by Ghaleb Jaber of Ghaleb's Grill and Hookah Lounge, and pertains to 2.17 acres of property located on the west side of North Blackstone Avenue between West Barstow and West Bullard Avenues. The applicant requests authorization to establish a nightclub at the restaurant, which has a State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*), upgrade the dance permit to include 18 year olds and over, and change hours of operation to open at 6p.m., serving breakfast and closing at 6 a.m. The property is in the C-6 (*Heavy Commercial*) zone district.

APN: 416-182-01

ZONING: C-6

ADDRESS: 5665 North Blackstone Avenue

Recommended Conditions of Approval:

- Should the facility undergo a remodel to accommodate the dance floor, separation of the bar area, and/or bar itself, then prior to issuance of building permits, the applicant shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Consumer Food Protection Program at (559) 445-3334 for more information.
- Prior to operation, the applicant shall contact the California Alcoholic Beverage Control Department at (559) 225-6334 for information relative to applying for and obtaining a license to sell alcoholic beverages.
- Due to the operating hours, the owner/operator of the facility shall contact our office to schedule an Official Food Facility Inspection. Contact Amanda Salazar at (559) 445-7086 to schedule the inspection.

REVIEWED BY:

Janet Gardner

Digitally signed by Janet Gardner
DN: cn=Janet Gardner, o=Environmental Health
Division, ou=Fresno County Public Health
Department, email=jgardner@fresno.ca.us, c=US
Date: 2010.12.20 14:27:04 -0800

R.E.H.S., M.P.H.

Environmental Health Specialist

(559) 445-3271

jg

cc: Casagrande/Tolzmann/Salazar, Environmental Health Division

C-10-228ABCUP Ghaleb's Grill

OWNER
UNIVERSITY MICROFILMS
SERIALS ACQUISITION DEPT.
ANN ARBOR MI 48106
TEL NO (313) 769-8314

ASTEROIDS SPACE WAGON 416-10-500
TYPE OF CONSTRUCTION V-B
OCCUPANCY 4-5

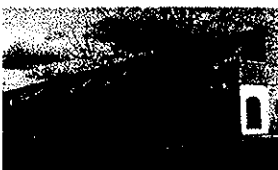
DECLINER

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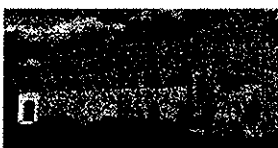
A-2 EXISTING TIGER PLAN

VENNY VAP

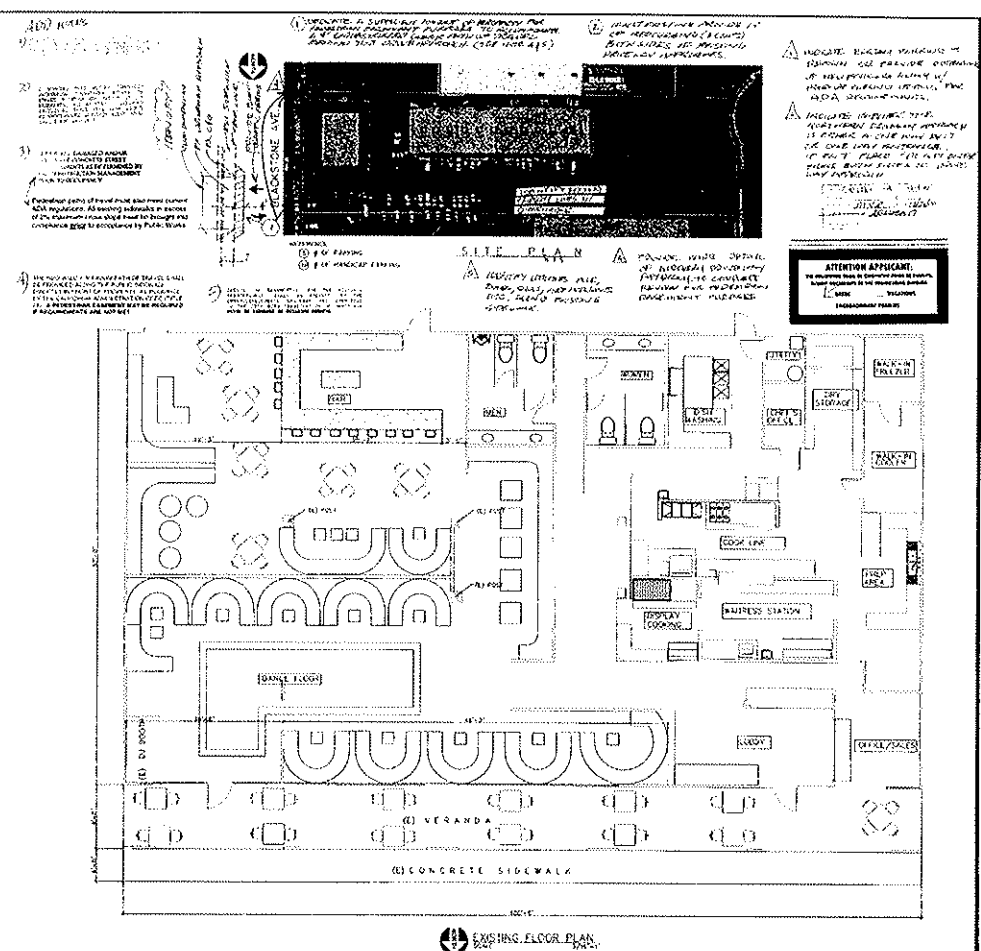
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EDCANT PLUMATION



REAR ELEVATION



QUESTION

SHALEB'S GRILL AND HOOKAH LOUNGE

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Environmental Assessment

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. C-10-228**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: Firas Abdel Jaber
FAJ Industries, Inc.
5665 North Blackstone Avenue, Suite 110
Fresno, California 93710

PROJECT LOCATION: 5665 North Blackstone Avenue, Suite 110; Located on the west side of North Blackstone Avenue between West Barstow and West Bullard Avenues; APN: 416-182-01

PROJECT DESCRIPTION: Conditional Use Permit Application No. C-10-228, filed by Firas Abdel Jaber, is requesting authorization to establish an 18 years and over night club at the existing restaurant with a dancing permit for those 21 years and older, to maintain their State of California Alcoholic Beverage Control Type 47 license (*sale of beer, wine, and distilled spirits for consumption on the licensed premises*), and operate between the hours of 6 p.m. to 2 a.m. daily.

This project is exempt under Sections 15301/Class 1 and 15332/Class 32 of the State of California CEQA Guidelines.

EXPLANATION: Section 15301/Class 1 states the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Section 15332/Class 32 consists of projects characterized as in-fill development meeting the conditions described in this Section. (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value, as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.

The proposed project consists of an 18 year and over night club with dancing until 2 a.m. and is consistent with the 2025 Fresno General Plan and the Bullard Community Plan. The operation of a nightclub on the site is allowed within the designated zone district. The site has no value as habitat for endangered, rare or threatened species and complies with the conditions of the Class 1 and Class 32 Categorical Exemptions. No adverse environmental impacts would occur as a result of the proposed project. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Date: September 9, 2011

Prepared By: McKencie Contreras, Planner

Submitted By: 

Mike Sanchez, Planning Manager
City of Fresno
Development and Resource Management Department
(559) 621-8277